

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff

v.

Defendant)
)
)
)
)

Civil Action No.

**SUBPOENA TO APPEAR AND TESTIFY
AT A HEARING OR TRIAL IN A CIVIL ACTION**

To:

(Name of person to whom this subpoena is directed)

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place:

Courtroom No.:

Date and Time:

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*_____
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
_____, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AFFIDAVIT OF NON-SERVICE

UNITED STATES DISTRICT COURT
Western District of New York

Index Number: 15-CV-701 (FPG)

Date Filed: _____

Plaintiff:

Douglas J. Horn

vs.

Defendants:

Medical Marijuana, Inc., Dixie Elixirs, et al.

For:

The Linden Law Group, P.C.

5 Penn Plaza

23rd Floor

New York, NY 10001

Received by Front Range Legal Process Service to be served on **Chuck Smith -Dixie Holdings, LLC, 524 Garfield Street, Denver, CO 80206.**

I, Derek Minto, being duly sworn, depose and say that on the **8th day of July, 2021 at 9:00 pm, I:**

after due search, careful inquiry and diligent attempts was unable to serve the **Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action; \$43.75 Witness Fee on Chuck Smith -Dixie Holdings, LLC** for the reasons detailed in the comments below.

Additional Information pertaining to this Service:

4 attempts were made to the home address and we have been unable to make contact with anyone here. There have been no lights on inside and no activity in the home. There is also a camera on the property.

7/1 5:42 pm - no answer.

7/2 8:00 pm - no answer. Packages for Brenda Smith.

7/6 at 7:30 pm - no answer. Packages are gone.

7/8 2:13 pm - no answer.



AFFIDAVIT OF NON-SERVICE For 15-CV-701 (FPG)


I certify that I am over the age of 18, have no interest in the above action. Service was made pursuant to the rules and regulations of the State of Colorado.

Subscribed and Sworn to before me on the 9th day of July, 2021 by the affiant who is personally known to me.

NOTARY PUBLIC

My commission expires

HEATHER HEATH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184032275
MY COMMISSION EXPIRES AUGUST 22, 2022


Derek Minto
Process Server

Front Range Legal Process Service
145 W. Swallow Road
Fort Collins, CO 80525
(970) 267-9109

Our Job Serial Number: FRS-2021004674
Service Fee: _____